

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

**MATTHEW ORSO AS SUCCESSOR
TRUSTEE TO KENNETH D. BELL IN
HIS CAPACITY AS COURT-
APPOINTED RECEIVER FOR REX
VENTURE GROUP, LLC,**

Plaintiff,

v.

Case No: 5:21-mc-9-JSM-PRL

BARTON TUCKER,

Defendant.

ORDER

Before the court is Plaintiff's motion for appointment of a process server. (Doc. 8). On June 11, 2021, the court granted Plaintiff's motions for writ of garnishment (Docs. 4, 5) and the Clerk issued the writs of garnishment on June 14, 2021. (Docs. 6, 7). Plaintiff now requests that the court appoint ABC Legal to serve the writs on the garnishees.

Pursuant to Rule 4.1(a) of the Federal Rules of Civil Procedure, "[p]rocess—other than a summons under Rule 4 or a subpoena under Rule 45—must be served by a United States marshal or deputy marshal or by a person specially appointed for that purpose." Therefore, the court grants Plaintiff's request for the appointment of a special process server. *See Sumner v. Garner*, No. 6:18-CV-40-ORL-28GJK, 2019 WL 6716193, at *2 (M.D. Fla. Dec. 9, 2019) (granting the request to appoint a special process server to serve a writ of garnishment); *Francois v. Washmonbo, Inc.*, No. 05-23368-CIV, 2008 WL 2694752, at *2 (S.D. Fla. July 8, 2008) (appointing special process server to serve writ of garnishment).

Accordingly, Plaintiff's motion (Doc. 8) is GRANTED. The court hereby appoints any agent or employee of ABC Legal, who is otherwise legally permitted to effectuate service of process, as special process server to serve the writs of garnishment on the garnishees (Docs. 6, 7).

DONE and **ORDERED** in Ocala, Florida on June 23, 2021.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties